

January 9, 2020

VIA ECF

Hon. Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Home It, Inc. v. Wen et al*
Case No.: 1:19-cv-07070 (MKB)(VMS)

Dear Hon. Judge Chen:

I am counsel to the Plaintiff in this action and write in response to Your Honor's Order of December 23, 2019 (Dkt. # 14), directing the individual Defendant Wen to respond to the Court's Order to Show Cause by January 6, 2020.

Defendant Wen did not file any response to the motion, and no rebuttal to Plaintiff's allegations that Ms. Wen registered the trademark SAGANIZER using fraudulent documents and making false assertions to the United States Patent and Trademark Office ("PTO") has been offered.

I attach a copy of my email communications with attorney Mr. Chen who had counseled the other Defendant, Shenzhen Trynow IP Co. ("Trynow"), which is a China-based IP office. The attachment also contains correspondence with Mr. Ren Cao, a principal of Defendant Trynow. Mr. Cao states that he spoke with a Mr. Deng, who I am informed is the husband of the Defendant Ms. Wen and the real "client" of the Defendant Trynow. According to Mr. Cao: "...he [Mr. Deng] told us he would handle this matter," namely this lawsuit.

Ostensibly, despite receiving notice from Plaintiff of this lawsuit and copies of all papers filed in this Court, and despite informing Mr. Cao he would "handle" this lawsuit, the Defendant Ms. Wen (through her husband Mr. Deng, the real party in interest) has

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chosen not to participate and to disregard the Order to Show Cause, effectively defaulting relative to the instant Complaint allegations. We further note that Defendants were served with the Complaint and Summonses on December 17, 2019, but have failed to answer in the time required by the Federal Rules of Civil Procedure.

Given the foregoing, we inquire whether an in-person hearing or appearance is actually needed on Monday, January 13, 2020, as presently scheduled in the Court's aforementioned Order. Plaintiff respectfully submits that on the record before the Court judgment should be entered in favor of Plaintiff directing Defendant Wen to inform Amazon to re-list Plaintiff's products that were de-listed by Wen; holding that the subject U.S. trademark registration No. 5,165,919 for the trademark SAGANIZER was invalidly procured, and; directing the PTO to cancel that mark from the Principal Register of the PTO.

Respectfully submitted,

/s/Max Moskowitz

Max Moskowitz

Ariel Peikes

OSTROLENK FABER LLP

845 Third Avenue

New York, New York 10022

Telephone: (212) 596-0500

Facsimile: (212) 382-0888

E-mail: mmoskowitz@ostrolenk.com
apeikes@ostrolenk.com

Enclosure

cc: Counsel for Defendant Trynow (via email: haoyichen@archlakelaw.com and
Defendant Trynow (via email: trademark@cn-ip.cn)
Defendant Wen (via email: bzkjuk@126.com and 305813391@qq.com)